

MINUTES
BOARD OF EXAMINERS
BAIL ENFORCEMENT AGENTS
MEETING
WEDNESDAY
FEBRUARY 14, 2018
1:30 P.M.
150 MARTIN L. KING, JR. BOULEVARD, SOUTH
TATNALL BUILDING
ROOM 112
DOVER, DE

I. Call To Order

Major Zebley called the meeting to order at 1334 hours and subsequently turned the meeting over to Ms. Anderson. The meeting is being recorded and will be maintained by the Professional Licensing Section.

Introductions were made around the table.

The following members of the Board of Examiners were in attendance:

Major Melissa A. Zebley
Director John Yeomans
Ms. Robin David
Mr. Michael J. Dellose
Mr. Brandon Habron
Mr. Harry O. Jennings

The following member of the Board of Examiners was in attendance – non-voting:

Deputy Principal Assistant Robert Kracyla – non-voting

The following members of the Board of Examiners were absent:

Alexander W. Funk, Esquire
Mr. Jack McGhee, II

The following staff members were in attendance:

Victoria W. Counihan, Esquire
Lieutenant Kerry B. Reinbold
Sergeant Brian L. Pixley
Ms. Peggy L. Anderson
Ms. Wendy S. Meyers

Mr. Michael Terranova – DTCC Representative

The following staff members were absent:

Captain S. Benjamin Parsons

The following guests were in attendance:

N/A

II. Review and Acceptance of Minutes

A. November 16, 2017

Mr. Habron, with a second by Mr. Jennings, made a motion to approve the minutes from 11/16/17 as presented. The motion was carried.

III. Hearings, Appeals & Actions

A. Requested Hearing

1. Derrick A. White

Ms. Anderson presented the facts on the background for Mr. Derrick A. White as follows:

- 11/01/17 – Certified/first class notification of Emergency Suspension sent – No Continuing Education
- Email sent notifying of extension to 12/14/17 at midnight
- 12/19/17 – Certified/first class notification of Intent to Revoke sent
- 01/16/18 – Received request for hearing

Ms. Anderson informed the Board that Mr. White is resigning his BEA status. No vote necessary.

B. 2017 Mandatory Training

1. Notice of Intent to Revoke
 - a. Joseph Bailey, III
 - b. Christopher B. Blaylock
 - c. Saleem A. Chaudhry
 - d. Armando M. Flores-Nunez
 - e. Lavinn O. Goode
 - f. Jared M. Lanham
 - g. Antonio J. Morris
 - h. Adrienne N. Philpot
 - i. James N. Ritchie
 - j. Vincent J. Saragino
 - k. Matthew J. Smith

Ms. Anderson presented the facts for B.1.a.-k, inclusive, as follows:

- Given notification of training open until midnight on 12/14/17 to complete – notification of revocation forthcoming in email
- Already been given the Emergency Suspension notification
- 12/15/17 – issued the Intent to Revoke

Mr. Jennings, with a second by Mr. Habron, made a motion to revoke all the individuals' BEA credentials in B.1.a.-k, inclusive. The motion was carried.

2. Emergency Suspension with Intent to Revoke
 - a. Angel L. Nieves

Ms. Anderson presented the facts for Mr. Angel L. Nieves as follows:

- 11/10/17 – enrolled in training
- Took and failed test
- Was given one week to re-take test
- Did not re-take test by 12/14/17

Mr. Habron, with a second by Mr. Jennings, made a motion to revoke Mr. Nieves' BEA credentials. The motion was carried.

3. Emergency Suspension
 - a. Deanne M. Bell
 - b. Kenneth D. Bennett

Ms. Anderson presented the facts for B.3.a.-b as follows:

- Ms. Bell's son has kept in contact with our office regarding his mother being ill, and will continue to keep us apprised of her situation
- Mr. Bennett had been deployed, but haven't heard anything in a while

Ms. Anderson presented B.3.a.-b for informational purposes only. No vote necessary.

- C. Intent to Revoke
 1. Calvin C. Boyd, Jr.

Ms. Anderson presented the facts for Mr. Calvin C. Boyd, Jr. as follows:

- 09/11/17 – Arrested for – all Felonies:
 - Conspiracy Second Degree
 - Disregarding a Police Officer
 - Burglary Third Degree
 - Wearing a Disguise During the Commission of a Felony
 - Reckless Endanger First Degree
 - Possession of a Firearm During the Commission of a Felony
- 10/18/17 – Certified/first class notification of the Notice of Emergency Suspension sent
- 11/28/17 – Found Guilty of Conspiracy Second Degree-Agreement to Aid Another – Felony
- 11/30/17 – Certified/first class notification of Intent to Revoke sent
- 12/30/17 – Deadline for hearing request – none received
- Have not received badge or identification card

Mr. Yeomans, with a second by Mr. Dellose, made a motion to revoke Mr. Boyd's BEA credentials. The motion was carried.

IV. Training/Education

A. 2018

1. Continuing Education – Classroom

Ms. Anderson informed the Board that there are currently two classes scheduled for 2018. They are Wednesday, August 8, 2018 and Wednesday, September 19, 2018, both at DTCC Stanton Campus. The class is limited to a maximum of 25 students and there are approximately 73 active BEA agents. Another class will be added as needed.

Deputy Director Kracyla added that this training will mirror training that was given to the Constable Academy, at the Emily Bissell Complex.

2. Initial Classroom Training

Ms. Anderson stated that this Initial Classroom Training is generally scheduled for the first Wednesday of August each year. This is the best time for DTCC and having only one a year, it is more cost feasible. This year's training will be held Wednesday, August 1, 2018 at DTCC Stanton Campus.

V. Instructors

A. Issues

Ms. Anderson explained that both individuals' certifications were reviewed by Lt. Reinbold and Sgt. Pixley who determined that a Board would need to grant the approval. Both individuals chose to skip the previous Board that met in January and have this Board make the decision.

Lt. Reinbold stated that both applicants were advised to appear here today as Professional Licensing would not advocate anything for them.

1. Donald K. Johnson

Ms. Anderson presented the Firearm's Instructor request from Mr. Johnson with his certificate. This one is not exactly what Rule 4.0 requires therefore, it is being brought before the Board for a decision. Mr Johnson is not in attendance to answer any questions. The main concern with this one is that it is a Maryland certification with not enough information provided for the Board to review.

After discussion, Mr. Habron, with a second by Mr. Yeomans, made a motion to deny the approval as there is not enough documentation presented to them and to not accept the credentials presented. The motion was carried.

2. Jack McGhee

Ms. Anderson presented the Firearm's Instructor request from Mr. McGhee with his certificate. This one is not exactly what Rule 4.0 requires therefore, it is being brought before the Board for a decision. Mr. McGhee is not in attendance to answer any questions. Mr. McGhee had intended to bring Mr. Holz to this Board Meeting for clarification.

After discussion, Mr. Habron, with a second by Major Zebley, made a motion to deny the approval as there is not enough documentation presented to them and to not accept the credentials presented. The motion was carried.

VI. Old Business

A. Professional Licensing

1. Rules & Regulations

a. Rule 5.0 Baton, Nightstick, PR24, Chemical Spray, and Handcuffs

Lt. Reinbold explained that this rule has been reviewed by the Weapons and Force Committee and this is their recommended wording. This similar rule was approved by the Board of Examiners of Private Investigators and Private Security Agencies on January 31, 2018.

DAG Counihan recommended that "while in the performance of their duties under 24 **Del. C.** Ch. 55" appear in 5.1 and 5.1.1.

Mr. Jennings, with a second by Mr. Habron, made a motion to approve Rule 5.0, as presented, with the changes recommended by DAG Counihan, for first publication. The motion was carried.

Ms. Anderson stated that the 2018 Firearms Audit has been completed for this industry, with nine not in compliance by 01/20/18, while four provided the necessary documentation leaving the other five to be prohibited from carrying a firearm at this time. Out of 73, there was actually only five not in compliance. This is for informational purposes only.

B. Board Members

Ms. Anderson read an email from Mr. Hamilton expressing his thoughts on the Board and that it is time for him to move on as he is resigning from the Board.

Major Zebley spoke that he will be missed as he was always present and had very good input.

C. Major

Major Zebley did not have any Old Business at this time.

VII. New Business

A. Professional Licensing

Professional Licensing did not have any new Business at this time.

B. Board Members

The Board Members did not have any New Business at this time.

C. Major

Major Zebley spoke about the topics of interest by request of Mr. Terranova.

VIII. Public Comment (At the discretion of the Chair)

There was no public in attendance.

IX. Adjournment

A. Schedule Next Meeting

1. Thursday, May 17, 2018 @ 10:00am

Mr. Dellose, with a second by Mr. Habron, made a motion to adjourn the meeting. The motion was carried. The meeting adjourned at 1357 hours.